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Letter dated 3 March 2003 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council

I write with reference to my letter of 22 November 2002 (S/2002/1282).

The Counter-Terrorism Committee has received the attached third report from Barbados submitted pursuant to paragraph 6 of resolution 1373 (2001) (see annex).

I would be grateful if you could arrange for the present letter and its annex to be circulated as a document of the Security Council.

(*Signed*) Jeremy **Greenstock**
Chairman
Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism

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Annex

Letter dated 14 February 2003 from the Permanent Representative of Barbados to the United Nations addressed to the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism

On behalf of the Government of Barbados, I am pleased to forward the additional information that was requested by the Counter-Terrorism Committee in its letter of 15 November 2002 (see enclosure).

The Government of Barbados remains ready to provide any further information as deemed appropriate.

(*Signed*) June **Clarke**
Permanent Representative

Enclosure

Supplementary information provided by the Government of Barbados in response to the request of 15 November 2002 made by the Counter-Terrorism Committee (CTC)

Introduction

In keeping with its obligations with regard to the mandate contained in paragraph 6 of Security Council resolution 1373 (2001), the Government of Barbados submitted a comprehensive report on 24 December 2001. A supplementary report providing further clarification and additional information on a number of issues contained in the first report was submitted on 28 June 2002, as requested by the Counter-Terrorism Committee in its letter of 1 April 2002. The present submission constitutes the third response of the Government of Barbados to CTC and is confined to answering the specific questions raised by the Committee in its letter of 15 November 2002.

Request made by the Committee

1.2 Subparagraph 2 (a) of the resolution, inter alia, requires all States to suppress recruitment of members of terrorist groups. The first report from Barbados states that the Foreign Incursions and Mercenaries Act serves to prohibit the recruitment of mercenaries in Barbados. Could Barbados please explain whether recruitment of all persons, not only mercenaries, to terrorist groups is covered by this law and whether all terrorist activities come within the ambit of sections 5 to 7 of that Act. If not, how does Barbados intend to meet the requirement of subparagraph 2 (a)?

Response by the Government of Barbados

The Foreign Incursion and Mercenaries Act (Cap. 174) deals only with mercenaries and activities connected to mercenaries. Accordingly, an amendment will be made to the Anti-Terrorism Act in the very near future to meet the requirements of subparagraph 2 (a) fully.

Request made by the Committee

1.3 For effective implementation of subparagraphs 2 (d) and (e) of the resolution, a State must criminalize the use of its territory for the purpose of financing, planning and facilitating of terrorist acts against other States or their citizens even though no related terrorist acts have actually been committed or attempted. The CTC analysis suggests that current legal provisions do not meet this requirement entirely. If this analysis is correct, please comment on how Barbados intends to deal with this requirement.

Response by the Government of Barbados

The Barbados Government confirms that section 4 of the Anti-Terrorism Act, 2002-2006 covers entirely the requirements of subparagraphs 2 (d) and (e) that a State must criminalize the use of its territory for the purpose of financing, planning and facilitating of terrorists acts against other States or their citizens even though no related terrorist acts have actually been committed.

Request made by the Committee

1.4 Paragraph 3 of the resolution calls upon all States to become parties as soon as possible to the relevant international conventions and protocols relating to terrorism. CTC would be grateful to receive a report on the progress made by Barbados in becoming a party to those conventions and protocols to which it is not yet a party.

Response by the Government of Barbados

Since the submission of its supplementary report on 28 June 2002, the Government of Barbados has taken the following action with regard to the suppression of terrorism by becoming a party to the following:

- Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation (1988). Barbados acceded on 12 October 2002
- International Convention for the Suppression of the Financing of Terrorism (1999). Barbados ratified on 18 September 2002
- Convention on the Marking of Plastic Explosives for the Purpose of Detection (1991). Barbados acceded on 11 November 2002
- International Convention for the Suppression of Terrorist Bombings (1991). Barbados acceded on 18 September 2002.

The Government of Barbados is also party to the following:

- Convention on Offences and Certain Acts Committed on Board Aircraft (1963). Ratified in 1972, this has been incorporated into the Hijacking Act, Cap. 135 A
- Convention for the Suppression of Unlawful Seizure of Aircraft (1970). Ratified in 1973 and incorporated into the Hijacking Act, Cap. 1[illegible] A
- Convention for the Suppression of Unlawful Acts against the [illegible]y of Civil Aviation (1971). Ratified in 1976 and incorporated into the Civil Aviation (Montreal Convention) Act, Cap. 123 A
- Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents (1973). Barbados acceded in 1979 and this has been incorporated into the Internationally Protected Persons Act, Cap. 123 A
- International Convention against the Taking of Hostages (1979). Barbados acceded in 1981

- Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation (1988). Barbados acceded in 1994 and this has been incorporated into the Shipping Act, Cap. 296
- Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf (1988). Barbados acceded in 1994.